

MESSAGE NO: 9231115 MESSAGE DATE: 08/19/1999

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: SCO-Scope PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 9209117
MESSAGE #
(s):

CASE #(s): A-462-809

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/12/1999 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AGREEMENT CONCERNING TRADE IN CERTAIN STEEL PRODUCTS FROM THE
RUSSIAN FEDERATION (A-462-809)

MESSAGE NO: 9231115

DATE: 08 19 1999

CATEGORY: ADA

TYPE: SCO

REFERENCE: 9209117

REFERENCE DATE: 07 28 1999

CASES: A - 462 - 809

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PERIOD COVERED: 07 12 1999 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: AGREEMENT CONCERNING TRADE IN CERTAIN STEEL PRODUCTS
FROM THE RUSSIAN FEDERATION (A-462-809)

1. ON JULY 28, 1999, THE DEPARTMENT OF COMMERCE ISSUED INSTRUCTIONS TO THE U.S. CUSTOMS SERVICE (MESSAGE NUMBER 9209117) REGARDING AN AGREEMENT CONCERNING TRADE IN CERTAIN STEEL PRODUCTS FROM THE RUSSIAN FEDERATION (A-462-809).
2. FOUR CATEGORIES OF STEEL PRODUCTS HAVE A IMPORT QUOTA OF ZERO. THE U.S. CUSTOMS SERVICE WAS INSTRUCTED TO DENY ENTRY TO ANY SHIPMENTS OF THIS MERCHANDISE ENTERED OR WITHDRAWN FROM WAREHOUSE OR ATTEMPTED TO BE ENTERED OR WITHDRAWN FROM

WAREHOUSE FOR CONSUMPTION ON OR AFTER JULY 22, 1999, REGARDLESS OF WHETHER THEY ARE ACCOMPANIED BY AN EXPORT LICENSE. PARAGRAPHS 3 AND 4 BELOW CLARIFY PARAGRAPH 3B OF THE JULY 28 MESSAGE.

3. THE DEPARTMENT HAS RECEIVED INFORMATION THAT RAILS ENTERING UNDER THE HTSUS SUBHEADINGS 7302.10.1065 (USED NON-ALLOY RAILS FOR REROLLING) AND 7302.10.5040 (USED ALLOY RAILS FOR REROLLING) ARE NOT FOR RAILWAY AND TRAMWAY CONSTRUCTION AND REPLACEMENT. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER THIS AGREEMENT IS DISPOSITIVE. RAILS ENTERING UNDER THE HTSUS SUBHEADINGS 7302.10.1065 AND 7302.10.5040 ARE PRESUMED TO BE OUTSIDE THE SCOPE OF THE AGREEMENT, AND THE ZERO QUOTA DOES NOT APPLY. THEREFORE, SHIPMENTS OF USED RAILS FOR REROLLING FROM RUSSIA ENTERING UNDER HTSUS SUBHEADINGS 7302.10.1065 AND 7302.10.5040 SHOULD NOT BE DENIED ENTRY AND SHOULD BE ALLOWED CUSTOMS ENTRY PURSUANT TO NORMAL CUSTOMS PROCEDURES.
4. CUSTOMS OFFICERS SHOULD CONTINUE TO DENY ENTRY TO SHIPMENTS OF RAILS DEFINED AS THE FOLLOWING: RAILS, WHETHER OR NOT USED, FOR RAILWAY AND TRAMWAY CONSTRUCTION AND REPLACEMENT. THIS INCLUDES LOAD-BEARING RAILS SUCH AS STANDARD T, LIGHT, CRANE, AND GIRDER RAILS, AND CONDUCTOR OR ELECTRICAL RAILS. THE MERCHANDISE SUBJECT TO THIS AGREEMENT IS CLASSIFIED IN THE HTSUS AT SUBHEADINGS: 7302.10.1010, 7302.10.1015, 7302.10.1025, 7302.10.1035, 7302.10.1045, 7302.10.1055, 7302.10.1075, 7302.10.5020, AND 7302.10.5060. RAILS REFLECT AISI CATEGORIES 7 (STANDARD RAILS), 8 (OTHER RAILS), AND 41 (USED RAILS).
5. IN THE EVENT THAT THE DEPARTMENT RECEIVES INFORMATION CONTRARY TO THIS CLARIFICATION, WE WILL PROVIDE CUSTOMS WITH NEW INSTRUCTIONS.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS

OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT JEAN KEMP OR MARIA DYBCZAK, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-1131, (202) 482-5811, RESPECTIVELY.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party